

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re Patent Application of:  
Hiroyoshi Funato

Application No.: 10/621,465

Confirmation No.: 1137

Filed: July 18, 2003

Art Unit: 2872

For: OPTICAL PICKUP APPARATUS HAVING  
IMPROVED HOLOGRAPHIC OPTICAL  
ELEMENT AND PHOTODETECTOR

---

Examiner: A. Y. Chang

**REBUTTAL UNDER 37 C.F.R. § 1.78**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

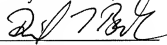
Dear Sir:

This is a rebuttal pursuant to 37 C.F.R. § 1.78(f)(2)(ii)(A) (compliance date: February 1, 2008). The claims of the present application should not be presumed to be patentably indistinct from those of U.S. Patent Nos. 6,072,579 and 6,618,344. There are important differences in scope between the claims. Among other things, the claims of the present application each recite a method of forming a polarization hologram or a polarization hologram, whereas the claims of the '579 and '344 patents each recite an optical pickup apparatus. In addition, please note that a restriction requirement was imposed on the application that issued as the '579 patent.

Applicants reserve the right to supplement this paper when and if appropriate.  
Favorable action on the application is solicited.

Dated: October 26, 2007

Respectfully submitted,

By   
Mark J. Thronson

Registration No.: 33,082

David T. Beck

Registration No.: 54,985

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicants